

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-11 remain pending in this application, with Claims 1 and 5 being independent. Claims 3 and 7 have been amended herein.

Claims 3 and 7 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In response, these claims have been amended to correct the matters stated in the Office Action as giving rise to the § 112 rejection. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 1, 2, 4/1, 4/2, 5, 6, 8/5, 8/6, 9/1, 9/2, 10/1, 10/2, 11/1, and 11/2 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,597,817 (Silverbrook) in view of U.S. Patent No. 7,050,607 (Li et al.). Claims 3/1, 3/2, 7/5, and 7/6 were rejected under § 103(a) as allegedly being obvious over Silverbrook in view of Li et al. and U.S. Patent Application Publication No. 2001/0019620 (Nagai et al.). These rejections are respectfully traversed.

In the present invention, the face-detection angle-range information determination means or step determines an angle range used in the face-detecting process on the basis of image attached information input by image attached information input means or step. In explaining the § 103 rejection, the Office Action states that the features of the face-detection angle-range information determination means of the present invention are not disclosed by

Silverbrook, but are taught by the detector pyramid described by Li et al. Applicant submits, however, that nothing in Li et al. teaches or suggests a face-detection angle-range information determination means or step that determines angle ranges on the basis of image attached information.

In the detector pyramid of Li et al., sub-windows—various croppings of a full-size image—are extracted from an input image and then processed by a face detection system. As shown in Fig. 4, face detection for each sub-window is hierarchical: detectors at each lower level have a smaller angular range than the detectors of the preceding level (col 11., lines 35-44). For each sub-window, the system determines whether the sub-window is a face and, if so, its pose range (col. 12, lines 4-6). The pose range is determined solely on the basis of which detector detects the face, i.e., the pose range is determined by the known angular range of the detector that records a detection (col. 14, lines 33-40). Li et al. effectively teaches away from using image attached information to determine an angle-range information. Thus, the detector pyramid of Li et al. fails to teach or suggest a face-detection angle range information determination means or step that determines pose range information on the basis of image attached information.

The citations to Silverbrook and Nagai et al. fail to compensate for the deficiencies in Li et al. as described above.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 1 and 5. Dependent Claims 2-4 and 6-11 are also allowable, in their own right, for defining features of the present invention in addition to

those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Mark A. Williamson/

Mark A. Williamson
Attorney for Applicant
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
MAW:yt

FCHS_WS 1536300v1